IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

APPEAL NO. 588 OF 2004
IN
WRIT PETITION NO. 2976 OF 2003

M/s. Batliboi Employees Union] .. Appellants (Ori.Petitioners)

Versus

M/s. Batliboi Limited] .. Respondents

Mr. V.A. Pai for the appellants.

Mr. C.U. Singh with Mr. N.M. Makandar and P.N. Shastri i/b Mr. P.N. Shastri for the respondent.

CORAM: R.M. LODHA &
S.A. BOBDE, JJ.

DATED: 19TH AUGUST, 2006

P.C. :

. The contention of the counsel for appellant is that the argument was raised before the learned single Judge that the Power of Attorney could not have represented the principal employer before the Labour Court and despite this contention, the impugned judgment does not reflect the consideration of the said contention.

2. The correctness of this submission is challenged by Mr. C.U. Singh, the senior counsel for

respondent No.1.

3. Without going into the correctness of the contention raised by the counsel for the appellant, we told the counsel that remedy available to the appellant is to file Review Application so that the Judge who passed the order could look into this aspect.

4. Confronted with this difficulty, the counsel for appellant prays for withdrawal of this Appeal with liberty to the appellant to make appropriate application for Review of the impugned order.

5. Appeal is allowed to be withdrawn with liberty as prayed.

Sd/-
[R.M. LODHA, J.]

Sd/-
[S.A. BOBDE, J.]